

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

Z.P., ET. AL.,)	
)	
Plaintiffs,)	
)	
vs.)	
)	CASE NO. 7:24-CV-00151-ACA
ERROL GREGORY BRYANT,)	
)	
Defendant.)	

PLAINTIFFS' MOTION FOR ORDER REQUIRING THE
CITY OF TUSCALOOSA TO COMPLY WITH
PLAINTIFFS' SUBPOENA AND ENTRY OF PROTECTIVE
ORDER RELATING TO PRODUCED INFORMATION

Plaintiffs Z.P., A.W., M.L., and G.C., request that the Court order the City of Tuscaloosa to comply with Plaintiffs' January 23, 2025 subpoena for records relating to the Tuscaloosa Police Departments' investigation of Defendant relating to the allegations of nonconsensual disclosure of intimate images by the Defendant.¹ Plaintiffs further request that the Court enter a protective order relating to the confidentiality of the requested documents.

In response to the subpoena, attorneys for the City of Tuscaloosa told Plaintiffs' counsel that because some of the requested records contain law

¹ A copy of the Fed. R. Civ. P. 45 Subpoena is attached as Exhibit A.

enforcement investigative information or information of a sensitive nature, under Ala. Code § 12-21-3.1, law enforcement investigative information cannot be produced in response to a civil subpoena except by court order.² There is no criminal case related to these records. The City of Tuscaloosa has indicated a willingness to produce all records specifically related to or depicting the named Plaintiffs in this case, but may potentially object to the production of contents in the file not directly related to the Plaintiffs.³ However, Plaintiffs are entitled to the file in its entirety considering all non-plaintiff victims who may be included in the file are potential witnesses for trial and thus are well within the scope of discovery. Not only is the entire file discoverable, but its production would promote judicial efficiency while ensuring that Plaintiffs have the access to information to which they are entitled, allowing them to present their case without undue limitation. Nonetheless, Plaintiffs and the City of Tuscaloosa are in complete agreement that whatever information is produced by the City of Tuscaloosa

² Plaintiffs believe that a Rule 45 subpoena in a pending case in the Northern District of Alabama supersedes Ala. Code § 12-21-3.1; however, Plaintiffs are requesting an order with this court because that is what the City has indicated it will comply with. *See* U.S. Const. art. VI, cl. 2.

³ The City informed Plaintiffs' counsel that they have not yet reviewed the file to determine its contents and will be unable to do so until the lead investigator on the case returns to the office on March 5, 2025.

should be kept confidential. Plaintiffs' proposed protective order is attached as Exhibit B.

Plaintiffs request that the Court grant this Motion, enter the proposed protective order, and direct the City of Tuscaloosa to produce the requested records in their entirety. This will ensure that Plaintiffs have full access to relevant evidence, promote judicial efficiency, and protect the confidentiality of sensitive information.

Respectfully submitted,

/s/ Laina M. Henry

Law Student Intern

/s/ Laura Alice Hillhouse

Law Student Intern

/s/ Yuri R. Linetsky

ASB-3088-B20W

/s/ Ricky T. Chambless

ASB-5879-S77R

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Law Student Intern and Attorneys for
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CERTIFICATE OF SERVICE

A copy of this document has been served, on the date of filing, by operation of the CM/ECF system to Jason L. Wollitz, Esq., and James T. Burgess, Esq., attorneys for Defendant Errol Gregory Bryant.

/s/ Yuri R. Linetsky

PROPOSED PROTECTIVE ORDER

The parties are hereby **GRANTED** the right, upon compliance with the applicable discovery provisions of the Federal Rules of Civil Procedure and the orders of this court, to obtain from the City of Tuscaloosa, any and all information in the City's possession relating to any individual who is a party to this action, including law enforcement records (to the extent that the law enforcement records specifically relate to any individual who is a party to this action), in response to the Subpoena Duces Tecum served in this case.

This order authorizes any third-party who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose the information in response to such subpoena. The parties in this case and their representatives, including attorneys, staff, experts, and anyone else who may come into contact with these records, are **EXPRESSLY PROHIBITED** from distributing, disclosing, or otherwise using any information obtained pursuant to this order for any purpose other than this action. Further, the parties are **ORDERED** to destroy the protected information (including all copies made), immediately upon conclusion of this action or any appeal thereof.

DONE and **ORDERED** this ____ day of _____, 2025.

UNITED STATES DISTRICT JUDGE